

EXHIBIT C

1 ANNETTE L. HURST (State Bar No. 148738)
 2 DANIEL N. KASSABIAN (State Bar No. 215249)
 3 ELENA M. DIMUZIO (State Bar No. 239953)
 4 HELLER EHRLMAN LLP
 5 333 Bush Street
 6 San Francisco, California 94104-2878
 7 Telephone: +1.415.772.6000
 8 Facsimile: +1.415.772.6268
 9 E-mail: Annette.Hurst@HellerEhrman.com
 10 Daniel.Kassabian@HellerEhrman.com
 11 Elena.DiMuzio@HellerEhrman.com

12 Attorneys for Plaintiffs
 13 CANTER & ASSOCIATES, LLC and
 14 LAUREATE EDUCATION, INC.
 15

16 UNITED STATES DISTRICT COURT
 17 NORTHERN DISTRICT OF CALIFORNIA
 18 SAN JOSE DIVISION

19 CANTER & ASSOCIATES, LLC and 20 LAUREATE EDUCATION, INC., 21 22 v. 23 TEACHSCAPE, INC., 24 25	26 Plaintiffs, 27 28 Defendant.	29 Case No. C 07-3225 RS 30 PLAINTIFFS CANTER & ASSOCIATES, LLC'S AND LAUREATE EDUCATION, INC.'S FIRST SET OF REQUESTS FOR PRODUCTION OF DOCUMENTS AND THINGS (NOS. 1-80)
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29 PROPOUNDING PARTIES: Plaintiff Canter & Associates, LLC and
 30 Plaintiff Laureate Education, Inc.

31 RESPONDING PARTY: Defendant Teachscape, Inc.

32 SET NUMBER: One (1)

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1 Pursuant to Federal Rule of Civil Procedure 34, Plaintiffs Canter & Associates, LLC
 2 and Laureate Education, Inc. request that Defendant Teachscape, Inc. produce the following
 3 documents and things:

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5 **DEFINITIONS**

6 When used in the following requests for production, the following definitions apply:

7 1. The terms "Teachscape," "you," "your," or "yourself," means Defendant
 8 Teachscape, Inc., and any related companies, divisions, or subsidiaries, past or present, and
 9 the directors, officers, employees, contractors, agents, or attorneys thereof, including but not
 10 limited to foreign subsidiaries and divisions.

11 2. The term "Canter" means Plaintiff Canter & Associates, LLC and any related
 12 companies, divisions, or subsidiaries, past or present, and the directors, officers, employees,
 13 contractors, agents, or attorneys thereof, including but not limited to foreign subsidiaries
 14 and divisions, of which Teachscape is aware.

15 3. The term "Laureate" means Plaintiff Laureate Education, Inc. and any related
 16 companies, divisions, or subsidiaries, past or present, and the directors, officers, employees,
 17 contractors, agents, or attorneys thereof, including but not limited to foreign subsidiaries
 18 and divisions, of which Teachscape is aware.

19 4. The term "Andrews" means Andrews University located in Berrien Springs,
 20 Michigan, and any of its employees, directors, trustees, officers, contractors, agents, or
 21 attorneys, past or present, of which Teachscape is aware.

22 5. The term "Cardinal Stritch" means Cardinal Stritch University located in
 23 Milwaukee, Wisconsin, and any of its employees, directors, trustees, officers, contractors,
 24 agents, or attorneys, past or present, of which Teachscape is aware.

25 6. The term "Marygrove" means Marygrove College located in Detroit, Michigan,
 26 and any of its employees, directors, trustees, officers, contractors, agents, or attorneys, past
 27 or present, of which Teachscape is aware.

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1 7. The term "NYSUT ELT" means the New York State United Teachers'
 2 Education and Learning Trust located in Latham, New York and/or available online at
 3 <https://eltweb.nysut.org>, and any of its employees, directors, trustees, officers, contractors,
 4 agents, or attorneys, past or present, of which Teachscape is aware.

5 8. The term "Seattle Pacific" means Seattle Pacific University located in Seattle
 6 Washington, and any of its employees, directors, trustees, officers, contractors, agents, or
 7 attorneys, past or present, of which Teachscape is aware.

8 9. The term "Walden" means Walden University available online at
 9 www.waldenu.edu, and any of its employees, directors, trustees, officers, contractors,
 10 agents, or attorneys, past or present, of which Teachscape is aware.

11 10. The term "Canter's former employees" means any person who both (1) was
 12 employed by, or was an independent contractor for Canter or Laureate and (2) was / is
 13 employed, or was / is an independent contractor of Teachscape. The term "Canter's former
 14 employees" also includes, but is not limited to, Valerie Cameron, Anna Crupi, Barbara
 15 DeHart, Suddie Gossett, Melissa Jaivin, Hae Young Kim, Stacey McNalley, Romario
 16 Pineda, Brenda Pope-Ostrow, Mike Soules, Chip Swalley, and Simone Vilandre.

17 11. The term "master's degree program" means a distance-learning and/or online
 18 degree program, including all courses and curriculum in connection with the program,
 19 where upon its successful completion the program participant receives a master's degree in
 20 the field of education, including Master in the Art of Teaching, Master in Education, and
 21 Master of Science in Education.

22 12. The term "graduate course program" means a distance-learning and/or online
 23 course program for graduate credit from universities with regional (NCA) and/or national
 24 (NCATE) accreditation, graduate level in the field of education.

25 13. The term "Complaint" means the complaint filed on June 19, 2007 by Canter
 26 and Laureate in the above-captioned action, including any amendments thereto.

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1 14. As used herein, the conjunctions "and," "or," and "including" shall be
2 interpreted conjunctively and shall not be interpreted to exclude any information otherwise
3 within the scope of the request.

4 15. As used herein, the terms "all" and "any" shall be interpreted inclusively so as
5 to mean both "all" and "any" whenever either term is used.

6 16. The terms "document" and "documents" are used in their broadest possible
7 sense in accord with Federal Rule of Civil Procedure 34 and refer, without limitation, to any
8 writings, recordings, or photographs defined in Federal Rule of Evidence 1001, all written,
9 printed, typed, photostatic, photographed, recorded, or otherwise reproduced
10 communications or records of every kind and description, whether comprised of letters,
11 words, numbers, pictures, sounds, or symbols, or any combination thereof, whether
12 prepared by hand or by mechanical, electronic, magnetic, photographic, or other means, and
13 including audio or video recordings of communications, occurrences or events. This
14 definition includes, but is not limited to, any and all of the following: correspondence,
15 notes, minutes, records, messages, memoranda, telephone memoranda, diaries, contracts,
16 agreements, invoices, orders, acknowledgements, receipts, bills, statements, checks, check
17 registers, financial statements, journals, ledgers, appraisals, reports, forecasts, compilations,
18 schedules, studies, summaries, analyses, pamphlets, brochures, advertisements, newspaper
19 clippings, tables, tabulations, financial packaging, plans, photographs, pictures, film,
20 microfilm, microfiche, computer-stored or computer-readable data, computer programs,
21 computer printouts, e-mails, telegrams, telexes, facsimiles, tapes, transcripts, recordings,
22 and all other sources or formats from which data, information, or communications can be
23 obtained. The terms shall include all preliminary versions, drafts or revisions of the
24 foregoing, and all copies of a document shall be produced to the extent that the copies differ
25 from the document produced due to notations, additions, insertions, comments, enclosures,
26 attachments or markings of any kind.

27 17. The term "things" means any tangible item, including without limitation,
28 models, prototypes and samples of any device or apparatus or product.

1 18. The term "date" means the exact day, month and year if so ascertainable or, if
2 not, the best approximation (including relationship to other events).

3 19. The term "person" means any natural person, firm, association, organization,
4 partnership, business, trust, corporation, or public entity.

5 20. The term "relating to" means referring to, describing, concerning, evidencing,
6 constituting, summarizing, addressing the subject matter of, supporting, negating, or
7 rebutting.

8 21. The term "share" means to send via electronic mail, to send a physical copy,
9 distribute, exchange, or otherwise provide a copy.

INSTRUCTIONS

12 1. Each request below extends to any documents in the possession, custody or
13 control of Teachscape. The document is deemed to be in Teachscape's possession, custody
14 or control, if it is in Teachscape's physical custody, or if it is in the physical custody of any
15 other person and Teachscape (a) owns such documents in whole or in part; (b) has a right by
16 contract, statute or otherwise to use, inspect, examine or copy such documents on any
17 terms; (c) has an understanding, express or implied, that Teachscape may use, inspect,
18 examine or copy such documents on any terms; or (d) has, as a practical matter, been able to
19 use, inspect, examine or copy such documents when the defendant has sought to do so.
20 Such documents shall include, without limitation, documents that are in the custody of
21 Teachscape's attorneys or other agents.

22 2. Unless otherwise stated, the time period covered by this notice is up to and
23 including the date on which the documents are produced.

24 3. Pursuant to Federal Rule of Civil Procedure 34, in responding to these requests,
25 you must make a diligent search of your records, papers, materials, and electronically stored
26 information in your possession or available to you or your representatives, including
27 electronically stored information from sources that are reasonably accessible. If, after

1 exercising due diligence, you are unable to determine the existence of any documents or
 2 things falling within a request, then you shall so state in written responses.

3 4. If a refusal to provide documents or things, including electronically stored
 4 information, responsive to any request is asserted on the grounds of burdensomeness, you
 5 should state in detail the reason(s) for your objection(s), including the number and nature of
 6 documents, records, electronically stored information needed to be searched and/or
 7 produced, the location of the documents, the custodian of the documents, and the number of
 8 person hours and costs required to conduct the search.

9 5. If any request is unclear or ambiguous to you, you are requested to contact
 10 undersigned counsel as soon as possible so that the request can be clarified to avoid
 11 unnecessary delays in discovery.

12 6. For any documents responsive to these requests that is being withheld on the
 13 grounds of privilege, immunity, or any other grounds, please provide a written response
 14 and/or log with the following information pursuant to Federal Rule of Civil Procedure
 15 26(b)(5):

16 (a) A description of the document sufficiently particular to identify it for
 17 purposes of a court order;

18 (b) The date of the document;

19 (c) The nature of the protection claimed;

20 (d) A list of all persons who participated in the preparation of the
 21 document;

22 (e) A list of all persons who have received or reviewed copies of the
 23 document; and

24 (f) A list of all persons with whom the document shared and
 25 communicated.

26 7. Pursuant to Federal Rule of Civil Procedure 26(e), these requests are deemed
 27 continuing to the fullest extent permissible and to apply to all documents that Teachscape
 28 subsequently creates, develops, discovers or receives.

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2 **REQUESTS FOR PRODUCTION**

3 **Request No. 1:**

4 Final versions and the earliest available drafts of documents and things intended to
5 be, actually sent to, or made available to students or teachers relating to Teachscape's
6 "Teacher as Leader" course, such as course websites, DVDs, videos, video media files,
7 CDs, audio media files, syllabi, course packets, study resources, articles, texts, course log-
8 ins, quizzes, tests, course outlines, and grading keys.

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10 **Request No. 2:**

11 Final versions and the earliest available drafts of documents and things intended to
12 be, actually sent to, or made available to students or teachers relating to Teachscape's
13 "Understanding Teaching and Learning" course, such as course websites, DVDs, videos,
14 video media files, CDs, audio media files, syllabi, course packets, study resources, articles,
15 texts, course log-ins, quizzes, tests, course outlines, and grading keys.

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17 **Request No. 3:**

18 Final versions and the earliest available drafts of documents and things intended to
19 be, actually sent to, or made available to students or teachers relating to Teachscape's
20 "Instructional Design; Effective Assessment" course, such as course websites, DVDs,
21 videos, video media files, CDs, audio media files, syllabi, course packets, study resources,
22 articles, texts, course log-ins, quizzes, tests, course outlines, and grading keys.

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24 **Request No. 4:**

25 Final versions and the earliest available drafts of documents and things intended to
26 be, actually sent to, or made available to students or teachers relating to Teachscape's
27 "Teacher as Researcher" course, such as course websites, DVDs, videos, video media files,
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1 CDs, audio media files, syllabi, course packets, study resources, articles, texts, course log-
 2 ins, quizzes, tests, course outlines, and grading keys.

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4 **Request No. 5:**

5 Final versions and the earliest available drafts of documents and things intended to
 6 be, actually sent to, or made available to students or teachers relating to Teachscape's
 7 "Meeting the Needs of All Students" course, such as course websites, DVDs, videos, video
 8 media files, CDs, audio media files, syllabi, course packets, study resources, articles, texts,
 9 course log-ins, quizzes, tests, course outlines, and grading keys.

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11 **Request No. 6:**

12 Final versions and the earliest available drafts of documents and things intended to
 13 be, actually sent to, or made available to students or teachers relating to Teachscape's
 14 "Foundations of Reading and Literacy" course, such as course websites, DVDs, videos,
 15 video media files, CDs, audio media files, syllabi, course packets, study resources, articles,
 16 texts, course log-ins, quizzes, tests, course outlines, and grading keys.

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18 **Request No. 7:**

19 Final versions and the earliest available drafts of documents and things intended to
 20 be, actually sent to, or made available to students or teachers relating to Teachscape's
 21 "Assessment & Intervention for Struggling Readers" course, such as course websites,
 22 DVDs, videos, video media files, CDs, audio media files, syllabi, course packets, study
 23 resources, articles, texts, course log-ins, quizzes, tests, course outlines, and grading keys.

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25 **Request No. 8:**

26 Final versions and the earliest available drafts of documents and things intended to
 27 be, actually sent to, or made available to students or teachers relating to Teachscape's
 28 "Reading in the Content Areas" course, such as course websites, DVDs, videos, video

1 media files, CDs, audio media files, syllabi, course packets, study resources, articles, texts,
2 course log-ins, quizzes, tests, course outlines, and grading keys.

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4 **Request No. 9:**

5 Final versions and the earliest available drafts of documents and things intended to
6 be, actually sent to, or made available to students or teachers relating to Teachscape's
7 "Master in Art of Teaching with a Focus on Elementary Reading & Literacy K-6" degree
8 program offered through Marygrove, such as course websites, DVDs, videos, video media
9 files, CDs, audio media files, syllabi, course packets, study resources, articles, texts, course
10 log-ins, quizzes, tests, course outlines, and grading keys.

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12 **Request No. 10:**

13 Final versions and the earliest available drafts of documents and things intended to
14 be, actually sent to, or made available to students or teachers relating to Teachscape's
15 "Master in Education in Reading & Literacy, K-6" degree program advertised in or around
16 September 2006, such as course websites, DVDs, videos, video media files, CDs, audio
17 media files, syllabi, course packets, study resources, articles, texts, course log-ins, quizzes,
18 tests, course outlines, and grading keys.

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20 **Request No. 11:**

21 Final versions and the earliest available drafts of documents and things intended to
22 be, actually sent to, or made available to students or teachers relating to Teachscape's
23 "Problem Solving and Number & Operations, Grades K-5" course, such as course websites,
24 DVDs, videos, video media files, CDs, audio media files, syllabi, course packets, study
25 resources, articles, texts, course log-ins, quizzes, tests, course outlines, and grading keys.

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1 **Request No. 12:**

2 Final versions and the earliest available drafts of documents and things intended to
3 be, actually sent to, or made available to students or teachers relating to Teachscape's
4 "Problem Solving and Number & Operations, Grades 6-8" course, such as course websites,
5 DVDs, videos, video media files, CDs, audio media files, syllabi, course packets, study
6 resources, articles, texts, course log-ins, quizzes, tests, course outlines, and grading keys.

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8 **Request No. 13:**

9 Final versions and the earliest available drafts of documents and things intended to
10 be, actually sent to, or made available to students or teachers relating to Teachscape's
11 "Measurement and Geometry, Grades K-5" course, such as course websites, DVDs, videos,
12 video media files, CDs, audio media files, syllabi, course packets, study resources, articles,
13 texts, course log-ins, quizzes, tests, course outlines, and grading keys.

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15 **Request No. 14:**

16 Final versions and the earliest available drafts of documents and things intended to
17 be, actually sent to, or made available to students or teachers relating to Teachscape's
18 "Measurement and Geometry, Grades 6-8" course, such as course websites, DVDs, videos,
19 video media files, CDs, audio media files, syllabi, course packets, study resources, articles,
20 texts, course log-ins, quizzes, tests, course outlines, and grading keys.

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22 **Request No. 15:**

23 Final versions and the earliest available drafts of documents and things intended to
24 be, actually sent to, or made available to students or teachers relating to Teachscape's
25 "Algebra, Grades K-5" course, such as course websites, DVDs, videos, video media files,
26 CDs, audio media files, syllabi, course packets, study resources, articles, texts, course log-
27 ins, quizzes, tests, course outlines, and grading keys.

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1 **Request No. 16:**

2 Final versions and the earliest available drafts of documents and things intended to
3 be, actually sent to, or made available to students or teachers relating to Teachscape's
4 "Algebra, Grades 6-8" course, such as course websites, DVDs, videos, video media files,
5 CDs, audio media files, syllabi, course packets, study resources, articles, texts, course log-
6 ins, quizzes, tests, course outlines, and grading keys.

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8 **Request No. 17:**

9 Final versions and the earliest available drafts of documents and things intended to
10 be, actually sent to, or made available to students or teachers relating to Teachscape's "Data
11 Analysis and Probability, Grades K-5" course, such as course websites, DVDs, videos,
12 video media files, CDs, audio media files, syllabi, course packets, study resources, articles,
13 texts, course log-ins, quizzes, tests, course outlines, and grading keys.

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15 **Request No. 18:**

16 Final versions and the earliest available drafts of documents and things intended to
17 be, actually sent to, or made available to students or teachers relating to Teachscape's "Data
18 Analysis and Probability, Grades 6-8" course, such as course websites, DVDs, videos,
19 video media files, CDs, audio media files, syllabi, course packets, study resources, articles,
20 texts, course log-ins, quizzes, tests, course outlines, and grading keys.

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1 **Request No. 19:**

2 Final versions and the earliest available drafts of documents and things intended to
 3 be, actually sent to, or made available to students or teachers relating to Teachscape's
 4 "Master in Art of Teaching with a Focus on Elementary Mathematics, Grades K-5" degree
 5 program offered through Marygrove, such as course websites, DVDs, videos, video media
 6 files, CDs, audio media files, syllabi, course packets, study resources, articles, texts, course
 7 log-ins, quizzes, tests, course outlines, and grading keys.

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9 **Request No. 20:**

10 Final versions and the earliest available drafts of documents and things intended to
 11 be, actually sent to, or made available to students or teachers relating to Teachscape's
 12 "Master in Education in Mathematics, Grades K-5" degree program advertised in or around
 13 September 2006, such as course websites, DVDs, videos, video media files, CDs, audio
 14 media files, syllabi, course packets, study resources, articles, texts, course log-ins, quizzes,
 15 tests, course outlines, and grading keys.

16

17 **Request No. 21:**

18 Final versions and the earliest available drafts of documents and things intended to
 19 be, actually sent to, or made available to students or teachers relating to Teachscape's
 20 "Master in Art of Teaching with a Focus on Mathematics, Grades 6-8" degree program
 21 offered through Marygrove, such as course websites, DVDs, videos, video media files, CDs,
 22 audio media files, syllabi, course packets, study resources, articles, texts, course log-ins,
 23 quizzes, tests, course outlines, and grading keys.

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25 **Request No. 22:**

26 Final versions and the earliest available drafts of documents and things intended to
 27 be, actually sent to, or made available to students or teachers relating to Teachscape's
 28 "Master in Education in Mathematics, Grades 6-8" degree program advertised in or around

1 September 2006, such as course websites, DVDs, videos, video media files, CDs, audio
 2 media files, syllabi, course packets, study resources, articles, texts, course log-ins, quizzes,
 3 tests, course outlines, and grading keys.

4

5 **Request No. 23:**

6 Final versions and the earliest available drafts of documents and things intended to
 7 be, actually sent to, or made available to students or teachers relating to Teachscape's
 8 "Master in the Art of Teaching with a Focus on Curriculum, Instruction & Assessment"
 9 degree program advertised in or around September 2006, such as course websites, DVDs,
 10 videos, video media files, CDs, audio media files, syllabi, course packets, study resources,
 11 articles, texts, course log-ins, quizzes, tests, course outlines, and grading keys.

12

13 **Request No. 24:**

14 All documents and things relating to the advertisement, promotion, and marketing of
 15 Teachscape's "Master in the Art of Teaching with a Focus on Curriculum, Instruction &
 16 Assessment" degree program advertised in or around September 2006, such as flyers,
 17 pamphlets, circulars, newsletters, posters, video advertisements, audio advertisements,
 18 click-through advertisements, web site links, web sites, marketing plans, marketing budgets,
 19 mailing lists, e-mailing lists, responses to inquiries, and promotional scripts.

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21 **Request No. 25:**

22 All documents and things relating to the advertisement, promotion, and marketing of
 23 Teachscape's "Master in Education in Reading & Literacy, K-6" degree program
 24 advertised in or around September 2006, such as flyers, pamphlets, circulars, newsletters,
 25 posters, video advertisements, audio advertisements, click-through advertisements, web site
 26 links, web sites, marketing plans, marketing budgets, mailing lists, e-mailing lists, responses
 27 to inquiries, and promotional scripts.

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2 **Request No. 26:**

3 All documents and things relating to the advertisement, promotion, and marketing of
 4 Teachscape's "Master in Education in Mathematics, Grades K-5" degree program
 5 advertised in or around September 2006, such as flyers, pamphlets, circulars, newsletters,
 6 posters, video advertisements, audio advertisements, click-through advertisements, web site
 7 links, web sites, marketing plans, marketing budgets, mailing lists, e-mailing lists, responses
 8 to inquiries, and promotional scripts.

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10 **Request No. 27:**

11 All documents and things relating to the advertisement, promotion, and marketing of
 12 Teachscape's "Master in Education in Mathematics, Grades 6-8" degree program advertised
 13 in or around September 2006, such as flyers, pamphlets, circulars, newsletters, posters,
 14 video advertisements, audio advertisements, click-through advertisements, web site links,
 15 web sites, marketing plans, marketing budgets, mailing lists, e-mailing lists, responses to
 16 inquiries, and promotional scripts.

17

18 **Request No. 28:**

19 All documents and things relating to the advertisement, promotion, and marketing of
 20 Teachscape's "Master in Art of Teaching with a Focus on Elementary Reading & Literacy
 21 K-6" degree program offered through Marygrove, such as flyers, pamphlets, circulars,
 22 newsletters, posters, video advertisements, audio advertisements, click-through
 23 advertisements, web site links, web sites, marketing plans, marketing budgets, mailing lists,
 24 e-mailing lists, responses to inquiries, and promotional scripts.

25

26 **Request No. 29:**

27 All documents and things relating to the advertisement, promotion, and marketing of
 28 Teachscape's "Master in Art of Teaching with a Focus on Elementary Mathematics, Grades

1 K-5" degree program offered through Marygrove, such as flyers, pamphlets, circulars,
 2 newsletters, posters, video advertisements, audio advertisements, click-through
 3 advertisements, web site links, web sites, marketing plans, marketing budgets, mailing lists,
 4 e-mailing lists, responses to inquiries, and promotional scripts.

5

6 **Request No. 30:**

7 All documents and things relating to the advertisement, promotion, and marketing of
 8 Teachscape's "Master in Art of Teaching with a Focus on Mathematics, Grades 6-8" degree
 9 program offered through Marygrove, such as flyers, pamphlets, circulars, newsletters,
 10 posters, video advertisements, audio advertisements, click-through advertisements, web site
 11 links, web sites, marketing plans, marketing budgets, mailing lists, e-mailing lists, responses
 12 to inquiries, and promotional scripts.

13

14 **Request No. 31:**

15 All communications between Teachscape and Marygrove relating to Teachscape's
 16 master's degree programs or graduate course programs offered at Marygrove, such as draft
 17 course materials, communications regarding course planning, documents relating to
 18 anticipated demand for the course, communications regarding course administration, and
 19 communications regarding course evaluations.

20

21 **Request No. 32:**

22 All documents Teachscape provided to, or prepared to provide to, Marygrove
 23 promoting, advertising, or recommending a collaboration between Teachscape and
 24 Marygrove relating to master's degree programs or graduate course programs.

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1 **Request No. 33:**

2 All communications between Teachscape and Marygrove relating to a potential
 3 master's degree program or graduate course program collaboration between Teachscape and
 4 Marygrove.

5

6 **Request No. 34:**

7 Final versions and the earliest available drafts of documents and things intended to
 8 be, actually sent to, or made available to students or teachers relating to Teachscape's
 9 "Research-Based Strategies for Improving Reading Success" graduate course program, such
 10 as course websites, DVDs, videos, video media files, CDs, audio media files, syllabi, course
 11 packets, study resources, articles, texts, course log-ins, quizzes, tests, course outlines, and
 12 grading keys.

13

14 **Request No. 35:**

15 All documents and things relating to the advertisement, promotion, and marketing of
 16 Teachscape's "Research-Based Strategies for Improving Reading Success" graduate course
 17 program, such as flyers, pamphlets, circulars, newsletters, posters, video advertisements,
 18 audio advertisements, click-through advertisements, web site links, web sites, marketing
 19 plans, marketing budgets, mailing lists, e-mailing lists, responses to inquiries, and
 20 promotional scripts.

21

22 **Request No. 36:**

23 Final versions and the earliest available drafts of documents and things intended to
 24 be, actually sent to, or made available to students or teachers relating to Teachscape's
 25 "Fundamentals of Mathematics: Teaching for Conceptual Understanding" graduate course
 26 program, such as course websites, DVDs, videos, video media files, CDs, audio media files,
 27 syllabi, course packets, study resources, articles, texts, course log-ins, quizzes, tests, course
 28 outlines, and grading keys.

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2 **Request No. 37:**

3 All documents and things relating to the advertisement, promotion, and marketing of
 4 Teachscape's "Fundamentals of Mathematics: Teaching for Conceptual Understanding"
 5 graduate course program, such as flyers, pamphlets, circulars, newsletters, posters, video
 6 advertisements, audio advertisements, click-through advertisements, web site links, web
 7 sites, marketing plans, marketing budgets, mailing lists, e-mailing lists, responses to
 8 inquiries, and promotional scripts.

9

10 **Request No. 38:**

11 Final versions and the earliest available drafts of documents and things intended to
 12 be, actually sent to, or made available to students or teachers relating to Teachscape's
 13 "Research-Based Instructional Strategies to Improve Student Achievement" graduate course
 14 program, such as course websites, DVDs, videos, video media files, CDs, audio media files,
 15 syllabi, course packets, study resources, articles, texts, course log-ins, quizzes, tests, course
 16 outlines, and grading keys.

17

18 **Request No. 39:**

19 All documents and things relating to the advertisement, promotion, and marketing of
 20 Teachscape's "Research-Based Instructional Strategies to Improve Student Achievement"
 21 graduate course program, such as flyers, pamphlets, circulars, newsletters, posters, video
 22 advertisements, audio advertisements, click-through advertisements, web site links, web
 23 sites, marketing plans, marketing budgets, mailing lists, e-mailing lists, responses to
 24 inquiries, and promotional scripts.

25

26 **Request No. 40:**

27 Final versions and the earliest available drafts of documents and things intended to
 28 be, actually sent to, or made available to students or teachers relating to Teachscape's

1 graduate course programs, such as course websites, DVDs, videos, video media files, CDs,
 2 audio media files, syllabi, course packets, study resources, articles, texts, course log-ins,
 3 quizzes, tests, course outlines, and grading keys.

4

5 **Request No. 41:**

6 All documents and things relating to the advertisement, promotion, and marketing of
 7 Teachscape's graduate course programs, such as flyers, pamphlets, circulars, newsletters,
 8 posters, video advertisements, audio advertisements, click-through advertisements, web site
 9 links, web sites, marketing plans, marketing budgets, mailing lists, e-mailing lists, responses
 10 to inquiries, and promotional scripts.

11

12 **Request No. 42:**

13 All communications between Teachscape and Andrews relating to Teachscape's
 14 master's degree program or graduate course programs offered at Andrews, if any, such as
 15 draft course materials, communications regarding course planning, documents relating to
 16 anticipated demand for the course, communications regarding course administration, and
 17 communications regarding course evaluations.

18

19 **Request No. 43:**

20 All documents Teachscape provided to, or prepared to provide to, Andrews
 21 promoting, advertising, or recommending a collaboration between Teachscape and Andrews
 22 relating to master's degree programs or graduate course programs.

23

24 **Request No. 44:**

25 All communications between Teachscape and Andrews relating to a potential
 26 master's degree program or graduate course program collaboration between Teachscape and
 27 Andrews.

28

1 **Request No. 45:**

2 All communications between Teachscape and Cardinal Stritch regarding
3 Teachscape's master's degree programs or graduate course programs offered at Cardinal
4 Stritch, if any, such as draft course materials, communications regarding course planning,
5 documents relating to anticipated demand for the course, communications regarding course
6 administration, and communications regarding course evaluations.

7

8 **Request No. 46:**

9 All documents Teachscape provided to, or prepared to provide to, Cardinal Stritch
10 promoting, advertising, or recommending a collaboration between Teachscape and Cardinal
11 Stritch relating to master's degree programs or graduate course programs.

12

13 **Request No. 47:**

14 All communications between Teachscape and Cardinal Stritch relating to a potential
15 master's degree program or graduate course program collaboration between Teachscape and
16 Cardinal Stritch.

17

18 **Request No. 48:**

19 All documents and things relating to master's degree programs authored or offered
20 by Laureate, Canter, and/or Walden, such as course websites, DVDs, videos, video media
21 files, CDs, audio media files, syllabi, course packets, study resources, articles, texts, course
22 log-ins, quizzes, tests, course outlines, and grading keys.

23

24 **Request No. 49:**

25 All documents and things relating to graduate course programs authored or offered
26 by Laureate, Canter, and/or Walden, such as course websites, DVDs, videos, video media
27 files, CDs, audio media files, syllabi, course packets, study resources, articles, texts, course
28 log-ins, quizzes, tests, course outlines, and grading keys.

1

2 **Request No. 50:**

3 All documents and things created, authored, or edited by Laureate, Canter, or
4 Walden, and in the possession of Canter's former employees.

5

6 **Request No. 51:**

7 All documents and things relating to employment agreements between Teachscape
8 and any of Canter's former employees.

9

10 **Request No. 52:**

11 All documents and things relating to agreements for confidentiality or secrecy
12 between Teachscape and any of Canter's former employees.

13

14 **Request No. 53:**

15 All documents and things evidencing policies relating to confidentiality or secrecy
16 communicated between Teachscape and any of Canter's former employees.

17

18 **Request No. 54:**

19 All documents and things evidencing communications relating to the use of prior
20 employer's information between Teachscape and any of Canter's former employees.

21

22 **Request No. 55:**

23 All documents and things relating to Laureate, Canter, and/or Walden.

24

25 **Request No. 56:**

26 All communications with customers or potential customers, including elementary
27 and high school teachers, relating to Laureate, Canter, and/or Walden.

28

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2 **Request No. 57:**

3 All communications between Teachscape and any of Canter's former employees
4 relating to Laureate, Canter, and/or Walden.

5

6 **Request No. 58:**

7 All communications between two or more of Canter's former employees relating to
8 Laureate, Canter, and/or Walden.

9

10 **Request No. 59:**

11 All communications between any of Canter's former employees, Andrews, Cardinal
12 Stritch, Marygrove, NYSUT ELT, Seattle Pacific or any accredited university relating to
13 Laureate, Canter, and/or Walden.

14

15 **Request No. 60:**

16 All documents and things relating to Canter's 3-year strategic plans.

17

18 **Request No. 61:**

19 All documents and things relating to Canter's Corporate Investment Proposals.

20

21 **Request No. 62:**

22 All documents and things relating to Canter's Onyx® customer relationship
23 management (CRM) database.

24

25 **Request No. 63:**

26 All lists relating to potential customers for graduate course programs or master's
27 degree programs, including elementary and high school teachers.

28

1 **Request No. 64:**

2 All lists relating to models and strategies for segmentation and targeting of potential
 3 customers for graduate course programs or master's degree programs.

4

5 **Request No. 65:**

6 All documents and things relating to advertisement, promotion, and marketing of
 7 Teachscape's graduate course programs and master's degree programs, including marketing
 8 strategy, marketing methods, market research, analyses of potential demand, marketing
 9 proposals, marketing studies, survey proposals and survey results.

10

11 **Request No. 66:**

12 All documents and things relating to methods for creating graduate course programs
 13 and master's degree programs, including the selection of presenters for video presentations,
 14 the structuring of the program generally, and the structuring of the course curriculums and
 15 materials for these programs.

16

17 **Request No. 67:**

18 All documents and things relating to Teachscape's knowledge of Laureate's or
 19 Canter's relationship with Andrews, Marygrove, Cardinal Stritch, or any other accredited
 20 university.

21

22 **Request No. 68:**

23 All documents and things relating to Teachscape's knowledge of Laureate's or
 24 Canter's contracts with Andrews, Marygrove, Cardinal Stritch, or any other accredited
 25 university.

26

27 **Request No. 69:**

28 All documents and things relating to any of Canter's or Laureate's proprietary

1 information, including but not limited to the items set forth in Plaintiffs Canter &
2 Associates, LLC'S And Laureate Education, Inc.'s Identification Of Trade Secrets, and any
3 amendments thereto.

4

5 **Request No. 70:**

6 Documents sufficient to show Teachscape's actual costs of developing Teachscape's
7 graduate course programs and master's degree programs, including payments to employees
8 and independent contractors for such development from the beginning of their development
9 to the present.

10

11 **Request No. 71:**

12 Documents sufficient to show Teachscape's actual gross revenues, net revenues, and
13 profits or losses relating to its master's degree programs and graduate course programs on a
14 monthly, quarterly, and/or annualized basis from the beginning of their development to the
15 present.

16

17 **Request No. 72:**

18 Documents sufficient to show Teachscape's projected future gross revenues, net
19 revenues, and profits or losses relating to its master's degree programs and graduate course
20 programs on a monthly, quarterly, and/or annualized basis.

21

22 **Request No. 73:**

23 Documents sufficient to show Teachscape's actual variable, fixed, and overhead
24 costs relating to its master's degree programs and graduate course programs on a monthly,
25 quarterly, and/or annualized basis from the beginning of their development to the present.

1 **Request No. 74:**

2 Documents sufficient to show Teachscape's projected future variable, fixed, and
 3 overhead costs relating to its master's degree programs and graduate course programs on a
 4 monthly, quarterly, and/or annualized basis.

5

6 **Request No. 75:**

7 Documents sufficient to show Teachscape's actual per-customer revenue and
 8 per-course revenue relating to its master's degree programs and graduate course programs
 9 from the beginning of their development to the present.

10

11 **Request No. 76:**

12 Documents sufficient to show Teachscape's actual incremental/marginal cost per-
 13 customer and incremental/marginal cost per-course relating to its master's degree programs
 14 and graduate course programs from the beginning of their development to the present.

15

16 **Request No. 77:**

17 Documents sufficient to show Teachscape's actual average cost per-customer and
 18 average cost per-course relating to its master's degree programs and graduate course
 19 programs from the beginning of their development to the present.

20

21 **Request No. 78:**

22 All documents and things relating to projected or completed timelines or schedules
 23 for development of Teachscape's graduate course programs and graduate degree programs.

24

25 **Request No. 79:**

26 Organizational charts sufficient to show titles and supervisor/subordinate
 27 relationships of Teachscape's personnel that developed, marketed, or were involved in

28

1 decisions relating to Teachscape's graduate course programs and graduate degree programs,
2 and all different versions, past and present, of any such organizational charts.

3

4 **Request No. 80:**

5 All documents and things relating to Teachscape's document retention or destruction
6 policies from 2002 to the present.

7

8 Dated: October 15, 2007

HELLER EHRMAN LLP

9 By

10 
11 DANIEL N. KASSABIAN
12 Attorneys for Plaintiffs
13 CANTER & ASSOCIATES, LLC and
14 LAUREATE EDUCATION, INC.

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